



**BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES**

866 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012 / (213) 974-2222

MARK RIDLEY-THOMAS
SUPERVISOR, SECOND DISTRICT

July 28, 2020

The Honorable Gary Moore
President, National Association of Counties

Dear Mr. President:

On July 21, 2020 the Trump Administration issued a Presidential Memorandum for the Secretary of Commerce titled "Memorandum on Excluding Illegal Aliens from the Apportionment Base Following the 2020 Census" (Presidential Memorandum). While this action by the Executive Branch is not surprising, it is nevertheless a reckless attack on immigrant communities throughout the country that if permitted, will have a devastating impact on political representation and allocation of critical resources.

As you know, the Trump Administration previously attempted to insert a citizenship question in the 2020 United States (U.S.) Census (Census). This effort was defeated after California Attorney General Xavier Becerra and his coalition secured a victory in their lawsuit opposing the addition of this xenophobic question. The district court ruled that the citizenship question was unconstitutional and unlawful. On June 28, 2019 the U.S. Supreme Court issued an opinion which resulted in a final judgment that permanently enjoined the Secretary of Commerce from including a citizenship question on the 2020 Census questionnaire and from asking a citizenship question as part of the 2020 Census.

The issuance of the Presidential Memorandum seeks to circumvent the unequivocal ruling of the highest court in the nation. And once again, California is stepping forward in opposition. Today, Attorney General Becerra announced a lawsuit against the Trump Administration that challenges the Presidential Memorandum as an unconstitutional attack on the census count and the rule of law. Local government must not remain silent regarding this attempt to undercount communities that are already disproportionately underserved. All States are at risk of harm by this thinly veiled attempt to undercount immigrant communities.

The National Association of Counties (NACo) has the opportunity to have its voice heard. My recommendation to the Executive Committee would be that NACo join as a plaintiff or as amici in litigation opposing the Presidential Memorandum excluding non-citizens from the apportionment base following 2020 Census by potentially considering the attached resolution. Given the imminent nature of this matter, I write to respectfully request that this item be taken up as quickly as possible.

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Thank you in advance for your consideration of this critical issue.

With hope,

A handwritten signature in black ink, appearing to read "Mark Ridley-Thomas". The signature is fluid and cursive, with a long horizontal stroke at the end.

MARK RIDLEY-THOMAS

Supervisor, Second District, County of Los Angeles

Enclosure